761551N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: October 26, 2006

FILE NO.:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: JACK JORDAN, CAPTAIN
COMMUNITY ORIENTED POLICING
SERVICES BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, NOVEMBER 29, 2004, REVIEW #SH2136623**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on November 29, 2004.

The Committee met on October 26, 2006 and consisted of Commanders Eric B. Smith (Leadership and Training Division), Cecil W. Rhambo (FOR I), and acting commander Captain Karyn Mannis (IAD). The Committee determined the use of force by Deputy Agostino Brancato #[redacted] and Deputy Joseph Garrido #[redacted] was within Department policy.

Please advise the deputies of this finding.

The Committee directs the unit commander to send both deputies to Laser Village training.

JGJ:MAH:mh

761551N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: October 12, 2006

FILE NO.: SH2136623

FROM: JOHNNY G. JURADO, COMMANDER
COMMITTEE CHAIRPERSON

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**

DEPUTY AGOSTINO BRANCATO #[redacted]
DEPUTY JOSEPH GARRIDO #[redacted]
COMMUNITY ORIENTED POLICING SERVICES BUREAU

On November 11, 2004, COPS Deputies Brancato and Garrido were patrolling westbound on 111th Street from Prairie Avenue conducting gang suppression. As they approached the 4000 block of 111th Street they saw three male Blacks that they recognized as local gang members standing in front of an apartment building. As the deputies were about to stop their patrol car to make contact, the gang members looked in their direction and then ran north in the driveway of [redacted] The deputies exited their patrol car and took containment positions to the west and to the east of the apartment building. Deputy Garrido saw Suspect Curry running south toward him from the rear of the building and saw that the suspect was armed with a handgun. He yelled at the suspect to stop and drop the handgun. Suspect Curry turned around and doubled-back behind the apartment. Suspect Curry then ran south down the east side of the building toward Deputy Brancato. Deputy Brancato saw that the suspect was holding a gun and ordered him to stop and drop the gun. The suspect stumbled to his hands and knees and simultaneously pointed the gun at Deputy Brancato.

Believing he was about to be shot, Deputy Brancato fired at Suspect Curry, who then ran east toward the driveway at [redacted] Deputy Garrido saw Deputy Brancato engage the suspect, so he abandoned his containment position and moved to Deputy Brancato's position. The suspect stopped and again pointed his gun at the deputies. Believing they were about to be shot, both deputies fired rounds at the suspect.

Suspect Curry then ran north in the driveway and turned one last time pointing his gun at the deputies. Again, both deputies fired rounds at the suspect. The suspect ran to the rear of the building and fell to the ground, yelling that he had been shot. The deputies then requested assistance. With sufficient deputies, an arrest team approached Suspect Curry and took him into custody. The arrest team also found another male (Suspect [redacted] who ran from the deputies lying face down on the ground near Suspect Curry. Suspect Curry sustained numerous gunshot wounds to the upper torso. He was transported to Harbor General Hospital. Two pistols, a .380 caliber semiautomatic and a .25 caliber semiautomatic, were recovered from the scene. No deputies were injured.

On October 26, 2006, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP § 3-01/025.00: Use of Force; MMP § 3-01/025.30: Use of Firearms and Deadly Force; MMP § 3-01/025.10: Unreasonable Force; and MMP § 3-01/050.10: Performance to Standards. Concerning:

MMP § 3-01/025.00: Use of Force, MMP § 3-01/025.30: Use of Firearms and Deadly Force, and MMP § 3-01/025.10: Unreasonable Force, the Committee determined that the force used by the deputy was reasonable and necessary and in compliance with Department policy. MMP § 3-01/050.10: Performance to Standards, the Committee determined that the tactics employed by the deputies in this incident were within Department Policy.

Johnny G. Jurado, Commander

761551N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: October 26, 2006

FILE NO.:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: JACK JORDAN, CAPTAIN
COMMUNITY ORIENTED POLICING SERVICES BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, NOVEMBER 29, 2004, REVIEW #SH2136623**

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The Committee met on October 26, 2006 and consisted of Commanders Eric B. Smith (Leadership and Training Division), Cecil W. Rhambo (FOR I), and acting commander Captain Karyn Mannis (IAD). The Committee determined the use of force by Deputy Agostino Brancato #[redacted] and Deputy Joseph Garrido #[redacted] was within Department policy.

Please advise the deputies of this finding.

The Committee directs the unit commander to send both deputies to Laser Village training.

JGJ:MAH:mh

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A TRADITION OF SERVICE"

DATE

OFFICE CORRESPONDENCE FILE NO. 004-11744-0383-055

FROM: RICHARD L. CASTRO, CHIEF
DETECTIVE DIVISION

TO: LEROY D. BACA
SHERIFF

SUBJECT: LETTER OF OPINION ON DEPUTY INVOLVED SHOOTING

The attached Letter of Opinion was received from the District Attorney's Office regarding the case involving Deputies Joseph Garrido #[redacted] and Agostino Brancato #[redacted]

STATION:	Lennox
DATE / TIME OF SHOOTING:	November 29, 2004
SUSPECT:	CURRY, Sirlasie MB/28 (Injured - In Custody)
LOCATION:	[redacted] West 111th Street Lennox (Unincorporated Area)

DISTRICT ATTORNEY'S CONCLUSION:

"The evidence reviewed in this investigation shows that the actions of Sirlasie Rayshon Curry presented an imminent threat of death or great bodily injury to the deputies. Deputies Garrido and Brancato's response with deadly force was both reasonable and necessary. We find that they acted in self-defense of others. Therefore, we are closing our file and will take no further action in this matter."

RLC:RHP:no

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LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY• Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

RICHARD D. DOYLE • Director

July 18, 2005

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. # 04-0901
L.A.S.D. # 004-11744-0383-055

Dear Captain Peavy:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 29, 2004, non-fatal shooting of Sirlasie Rayshon Curry by Deputies Joseph Garrido and Agostino Brancato of the Los Angeles County Sheriff's Department. We find that Deputies Garrido and Brancato acted lawfully in self-defense and defense of others.

The following analysis is based upon the reports relating to this matter submitted to this office on March 29, 2005 by Detective Frank Salerno of the Los Angeles County Sheriff's Department, Homicide Bureau. The District Attorney's Command Center was notified of this incident at 11:45 a.m. on November 29, 2004. Deputy District Attorney Christian Gullon and Senior Investigator [redacted] were notified by the Command Center and responded immediately to the scene. They were given a briefing and a walk-through of the scene by investigators. Deputies Garrido and Brancato gave voluntary statements which were considered in our analysis.

FACTUAL ANALYSIS

On November 29, 2004, Deputies Joseph Garrido and Agostino Brancato were assigned to the Community Impact Team patrolling the unincorporated area of Lennox. The deputies parked their patrol car near [redacted] West 111th Street to check on three suspicious individuals who ran away from the deputies towards the rear of the location. One of those individuals, later identified as Sirlasie Curry, returned towards the deputies. Curry, who was armed with a handgun, tripped and fell in the front lawn area of the location. Deputy Brancato ordered Curry to lie down and drop the gun. Curry stood up and turned toward Deputy Brancato with the gun in hand. Deputy Brancato believed that Curry was about to shoot him and fired several rounds at Curry. Curry then ran away from the Deputies to the next driveway east of the location. Curry again turned



towards the deputies, this time pointing the gun at both of them. Both deputies believed that Curry would shoot them and therefore fired multiple times in self-defense. Curry fled from the deputies northbound in the driveway then ducked behind the carport and out of view. While deputies were trying to set up a containment area, Curry yelled to them that he had been shot and needed assistance. Deputies then located Curry and placed him under arrest. Curry had been struck in the torso and neck in the flurry of gunfire. A black semi-automatic .380 caliber pistol was discovered on a pile of broken cement near Curry. There was a round in the chamber and the matching magazine was located three feet away with 7 live rounds. Two pieces of broken plastic grip matching the pistol were also found within a few feet.

CONCLUSION

According to the law in California, the use of deadly force in self-defense or in the defense of others is justifiable if the person claiming the right to use self-defense actually and reasonably believed (1) that he or she or the person who he or she was defending was in imminent danger of death or great bodily injury, and (2) that it was necessary under the circumstances to use deadly force to avoid such imminent death or great bodily injury. *California Jury Instructions --- Criminal* 5.12 *et. seq*.

The evidence reviewed in this investigation shows that the actions of Sirlasie Rayshon Curry presented an imminent threat of death or great bodily injury to the deputies. Deputies Garrido and Brancato's response with deadly force was both reasonable and necessary. We find that they acted in self-defense and defense of others. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By [signature]

CHRISTIAN GULLON
Deputy District Attorney
(213) 974-5054

c Deputy Joseph Garrido, #[redacted]
Deputy Agostino Brancato, #[redacted]



Table of Contents

Photographs of Location (Continued)

8. [redacted]
9. Storage building & carport located to the rear of [redacted]
10. Rear carport
11. Suspect Curry's pants with bullet fragment
12. Close-up of bullet fragment in Suspect Curry's pants
13. Asphalt rock pile with 380 Auto caliber semiautomatic pistol and magazine
14. 25 caliber Auto caliber semiautomatic pistol

Miscellaneous Documents

- Lennox Shift In-Service
- Documents Pertaining to Administrative Rights

LASD Homicide Shooting Book

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 11-30-04	Bureau/Station/Facility: Operation Safe Street, Lennox C.I.T.	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 004-11744-0383-055	Date: 11-27-2004 Time: 2153
City or Station: Lennox Station	Nature of Incident: Deputies saw three male adults run from them as they drove toward a known gang area. One of the males, doubled back and pointed a handgun at the deputies. The deputies engaged the male, wounding him.
Location: [redacted] West 111th Street Unincorporated County Area of Lennox	

Location Type (*circle one or more*):
Backyard
Beach
Business
Freeway
Industrial
Park
Parking Lot
Residence (circled)
Rural
School
Street (circled)
Other: ____________

Lighting (*circle only one*):
Darkness (circled)
Daylight
Other
Street Lights

Weather (*circle only one*):
Clear
Cloudy (circled)
Fog
Rain

Distance: 20-30'

Incident Type (*circle one or more*):
Accidental
Armed Person (circled)
Fleeing Suspect (circled)
Foot Pursuit (circled)
Gun Take Away
Moving Vehicle
Sniper/Ambush (circled)
Startle (circled)
Struggle Involved
Traffic Stop
Unarmed Person
Unintentional
Vehicle Pursuit
Warrant Service
Warning Shot
Other: ____________

Initiated by (*circle only one*):
Arrest Warrant
Call
Observation (circled)
One Person Unit
Other
Search Warrant
Two Person Unit

Prior Activity (*circle only one*):
Detective
Inmate Transport
Other
Routine Patrol (circled)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
23	None	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):
[redacted]	Clinkbroomer	Michael		**On Duty** (circled); Present during shooting; Witness to shooting; Involved in shooting
[redacted]	Westin	Richard		**On Duty** (circled); Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Dominguez	Dennis	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Toussant	Erich	

PSTD Use Only

SH # 2136623

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11-28-2004	0115		

Employee #	Last Name	First Name	M.I
[redacted]	Cleary	John	T.
[redacted]	Stunson	David	J.
[redacted]	Jensen	Curttis	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S #1	E #1	FH	ZZ	WW			NN	
S #1	E #2	FH	ZZ	WW			NN	
E #1	S #1	FH	BR	9	Y	Y	GS	CH
E #2	S #1	FH	BR	9	Y	Y	GS	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 004-11744-0383-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Brancato	First Name: Agostino	M.I.
Sex: M Race: W	Rank: Deputy	Unit Assignment: Lennox C.I.T.	Work Assignment (Unit #, Module, etc.): 30-N3
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # — Interviewed? [X]
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: 39 Height: 6' 00" Weight: 210			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [X] Number of Prior Shootings: one
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E__

Employee # [redacted]	Last Name: Garrido	First Name: Joseph	M.I.: R.
Sex: M Race: H	Rank: Deputy	Unit Assignment: Lennox C.I.T.	Work Assignment (Unit #, Module, etc.): 30-N3
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # — Interviewed? [X]
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: 32 Height: 5' 10" Weight: 170			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [X] Number of Prior Shootings: two
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # — Interviewed? [ ]
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [ ]	Patrol Certification? [ ]	Certification Unit:	Prior Shootings? [ ] Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 004-11744-0383-055

Suspect Information

S 1

Last Name: Curry		First Name: Sirlasie	M.I.: R.
AKA Last Name: Curry		First Name: Shon	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 28 D.O.B. 07-22-1976	Height: 5' 09" Weight: 230	FBI #: [redacted]	CII #: [redacted]
Booking #: 8376323	Primary Charge: 664/187 PC	Secondary Charge: 245(d)(2) PC	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: None		Model: N/A	Year: N/A

S __

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

Investigative Summary

Incident: Deputy Involved Hit Shooting
URN: 004-11744-0383-055
IAB File SH 2136623

Opening Statement

On Monday, November 29, 2004, at approximately 0130 hours, Internal Affairs Bureau investigators responded to the unincorporated county area of Lennox, specifically 111th Street and Prairie Avenue. At the scene Sergeant John Cleary, Sergeant David Stunson and Lieutenant Curtis Jensen were briefed by Homicide investigators of the circumstances surrounding a ***Deputy Involved Hit Shooting.*** Sergeant Cleary was assigned the responsibility for the administrative review of the incident. On 03-04-05, this investigation was reassigned to Sergeant John Harris, after Sergeant Cleary transferred out of IAB.

Synopsis

On Monday, November 29, 2004, at approximately 2153 hours, Deputies Joseph Garrido, #[redacted] and Agostino Brancato, #[redacted] were on patrol in the area of 111th Street and Prairie Avenue, in the unincorporated county area of Lennox. On the night of the shooting, both deputies were assigned to Lennox Community Impact Team (C.I.T.), which is part of the C.O.P.s (Community Oriented Policing) Bureau.

As Deputies Garrido and Brancato drove west on 111th Street from Prairie Avenue, they saw three Black males standing along the driveway of the apartment building at [redacted] West 111th Street. The three males, upon seeing the deputies, ran north via the east driveway and toward the rear of the building. The deputies stopped and exited their patrol car and took positions just west and east of the apartment building.

Deputy Garrido saw one of the three males (later identified as Suspect Curry) who had previously run from him, was now on the west side of the apartment building, running toward him. Suspect Curry was holding a handgun in his right hand. Deputy Garrido pointed his handgun at the suspect and yelled to Deputy Brancato that the suspect had a gun. Deputy Garrido then saw Suspect Curry turn around and run back in the other direction.

Suspect Curry doubled back, running south along the east side of the apartment building toward Deputy Brancato. Deputy Brancato saw Suspect Curry holding a handgun in his right hand. As Suspect Curry reached a grassy area in front of the apartment building, he stumbled and fell onto his hands and knees.

Deputy Brancato repeatedly ordered the suspect to drop the gun. The suspect began to get up, simultaneously pointing the handgun at Deputy Brancato. Deputy Brancato fearing that Suspect Curry was going to shoot him, fired his duty weapon at the suspect.

Upon seeing Deputy Brancato engage Suspect Curry, Deputy Garrido abandoned his position and moved to Deputy Brancato's position.

The suspect then ran east across the front lawn of the apartment building and into the driveway of the residence at [redacted] The suspect paused near a grey Chevrolet Suburban, which was parked in the driveway. The suspect turned toward the deputies and pointed the handgun in their direction. Deputy Garrido and Brancato both fired rounds at the suspect.

Suspect Curry then ran north, toward the rear of [redacted] The deputies continued to shout at the suspect to stop and drop the gun. The suspect again turned and pointed the handgun toward the deputies. Deputy Garrido and Brancato again fired at the suspect. The suspect ran behind the building, fell to the ground and began yelling that he had been shot.

Deputies Garrido and Brancato requested assistance over the radio. They moved to the back of the building and saw Suspect Curry lying on the ground. They called for an arrest team and paramedics and maintained their position of cover, until sufficient personnel arrived. Suspect Curry was found behind the building bleeding from gunshot wounds.

The deputies also saw another male, (later identified as [redacted] lying face down, on the ground, near Suspect Curry.

Assisting deputies arrived, secured the area and arrested the suspect. A containment and search was conducted for other possible suspects. (***Refer to the "Yahoo" map, submitted at the end of the investigative summary for a map of the location)***

District Attorney Letter of Opinion

On July 18, 2005, a letter authored by Los Angeles County Deputy District Attorney Christian Gullon of the Justice Integrity Division was forwarded to the Los Angeles County Sheriff's Department Homicide Bureau.

The follow is an excerpt of the letter written by Deputy District Attorney Gullon: ***"The evidence reviewed in this investigation shows that the action of Sirlasie Rayshon Curry presented an imminent threat of death or great bodily injury to the deputies. Deputies Garrido and Brancato's response with deadly force was both reasonable and necessary. We find that they acted in self-defense and defense of others. Therefore, we are closing our file and will take no further action in this matter."*** (Refer to **Exhibit E**, for additional information)

Involved Personnel
Deputy Joseph Garrido, # [redacted] C.O.P.S. Bureau, Lennox C.I.T.
Depuity Agustino Brancanto # [redacted] C.O.P.S. Bureau, Lennox C.I.T.

Work History- Deputy Garrido

Date of Employment: 03-07-1991
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s): Yes, 2 prior shooting, both in 2003
Prior Founded Force Incidents: [redacted]

Work History-Deputy Brancato

Date of Employment: 09-13-1991
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s): Yes, one prior shooting in 1998
Prior Founded Force Incidents: [redacted]

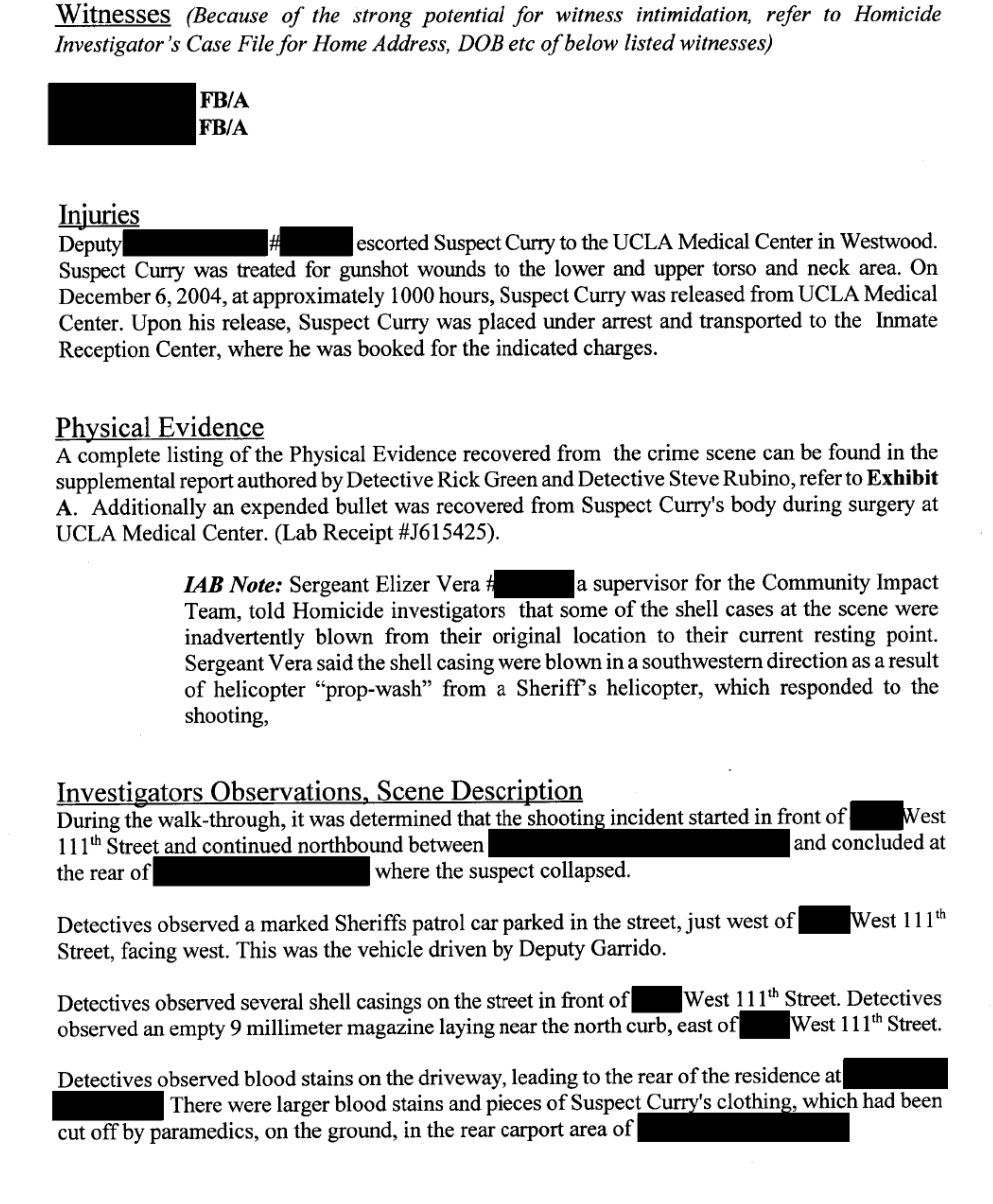
Suspect- Sirlasie Rayshon Curry, A.K.A.: Shon Curry MB/28 (In-Custody)

Suspect Curry is a [redacted] at the time of the incident. Suspect Curry's anticipated [redacted] Suspect Curry [redacted] The Consolidated Criminal History Reporting System (C.C.H.R.S.) documents [redacted]

Suspect Curry is a member of the "Osage Legend Crips" gang, which is affiliated with "107th Street Hover Crips" gang.

Suspect Curry's [redacted]

> ***IAB Note***: While in-custody at the Inglewood Court lock-up (awaiting trial on this matter), Suspect Curry was found to be in possession of two sheets of photo paper with five to six photographs on each page. The sheets contained photographs of Deputy Brancato, Deputy Garrido and photographs of the crime scene location. When questioned by lock-up deputies, Suspect Curry boasted, **"Now this is what twenty-five grand will buy you."** Refer to **Exhibit B** for additional information.



Witnesses *(Because of the strong potential for witness intimidation, refer to Homicide Investigator's Case File for Home Address, DOB etc of below listed witnesses)*

[redacted] **FB/A**
FB/A

Injuries

Deputy [redacted] # [redacted] escorted Suspect Curry to the UCLA Medical Center in Westwood. Suspect Curry was treated for gunshot wounds to the lower and upper torso and neck area. On December 6, 2004, at approximately 1000 hours, Suspect Curry was released from UCLA Medical Center. Upon his release, Suspect Curry was placed under arrest and transported to the Inmate Reception Center, where he was booked for the indicated charges.

Physical Evidence

A complete listing of the Physical Evidence recovered from the crime scene can be found in the supplemental report authored by Detective Rick Green and Detective Steve Rubino, refer to **Exhibit A**. Additionally an expended bullet was recovered from Suspect Curry's body during surgery at UCLA Medical Center. (Lab Receipt #J615425).

> ***IAB Note:*** Sergeant Elizer Vera # [redacted] a supervisor for the Community Impact Team, told Homicide investigators that some of the shell cases at the scene were inadvertently blown from their original location to their current resting point. Sergeant Vera said the shell casing were blown in a southwestern direction as a result of helicopter "prop-wash" from a Sheriff's helicopter, which responded to the shooting,

Investigators Observations, Scene Description

During the walk-through, it was determined that the shooting incident started in front of [redacted] West 111th Street and continued northbound between [redacted] and concluded at the rear of [redacted] where the suspect collapsed.

Detectives observed a marked Sheriffs patrol car parked in the street, just west of [redacted] West 111th Street, facing west. This was the vehicle driven by Deputy Garrido.

Detectives observed several shell casings on the street in front of [redacted] West 111th Street. Detectives observed an empty 9 millimeter magazine laying near the north curb, east of [redacted] West 111th Street.

Detectives observed blood stains on the driveway, leading to the rear of the residence at [redacted] There were larger blood stains and pieces of Suspect Curry's clothing, which had been cut off by paramedics, on the ground, in the rear carport area of [redacted]

Detectives saw a black, semi-automatic handgun and a magazine laying separately on a pile of broken concrete and rubbish in the rear carport area of [redacted] West 111th Street. The handgun was a short distance from Suspect Curry's clothing.

Detectives also saw a small caliber chrome handgun laying on the walkway in front of the residence at [redacted] (This location was north of the location where the shooting took place). The scene is further described in the supplemental reports submitted by Sergeant Ditsch and Detective Green.

Weapons Used by Deputy Personnel

Deputy Joseph Garrido,
Date Employee Last Qualified [redacted]

Fired seven rounds of Department issued 9mm ammunition from his Department issued 9mm semiautomatic Beretta, Model 92F, Serial # BER 013502Z. ***Deputy Garrido's Beretta was equipped with Laser Sights. Deputy Garrido received Department*** [redacted]

Deputy Agustino Brancato,
Date Employee Last Qualified [redacted]

Fired sixteen rounds of Department issued 9mm ammunition from his Department issued 9mm semiautomatic Beretta, Model 92F, Serial # BER111758Z. ***Deputy Brancato's Beretta was equipped with Laser Sights Deputy Brancato received Department*** [redacted]

Weapon Used by the Suspect

Suspect Curry was armed with a .380 caliber, semiautomatic pistol, "Astra"brand, model Constable II, ***serial number*** [redacted] The weapon and magazine was recovered from an asphalt type rock pile behind [redacted] Additionally a metal magazine containing seven rounds of .380 caliber ammunition was also recovered from the same location. This magazine was tested by Deputy Donna Reynolds of the Firearms Identification Section of the Sheriff's Department Scientific Services Bureau. Deputy Reynolds documented in her supplemental report the fact that the recovered magazine was functional in the "Astra" .380 semiautomatic pistol. Deputy Reynolds also reported that the weapon was test fired and found to be functional.

A Firearms Import & Export (F.I.E.), model Titan, .25 caliber semiautomatic pistol, ***serial number*** [redacted] was recovered with one .25 caliber Auto cartridge in the chamber and a magazine containing seven additional rounds. This pistol was recovered from the ground directly in front of [redacted] This weapon was tested fired and found to be functional. Refer to **Supplemental Report by Deputy Reynolds**, which can be found on page 62 of Volume II, Homicide Bureau Investigation.

IAB Note: Homicide investigators were unable to determine who was in possession of this weapon at the time of the incident.

A search of the Automated Firearms System (A.F.S.) revealed that the .380 caliber "Astra" was reported stolen, as well as the F.I.E. 25 Auto. For further information, refer to pages 83-88 of Volume II, Homicide Bureau Investigation.

Property Damage

Deputy Dennis Flinn # [redacted] and Deputy Anthony Haynes # [redacted] of the Civil Ligation Unit arrived on scene at approximately 0122 hours and were briefed by Homicide investigators. Property damage consisted of bullet holes to structures and a parked Chevrolet Suburban, Ca. License [redacted] Refer to **Exhibit A**, Supplemental Report for additional information.

Criminal Investigators

On Monday, November 29, 2004, at approximately 2330 hours, Detectives Cheek and Salerno responded to [redacted] West 111th Street, Lennox, to investigate a Deputy Involved Shooting. Detectives were assisted by Homicide Detectives Sergeant Gilbert Anderson, # [redacted] Sergeant Craig Ditsch, # [redacted] Sergeant Steve Rubino, # [redacted] and Detective Rick Green, # [redacted] who were detailed with documenting the scene and documenting and collecting evidence.

On December 6, 2004, at approximately 1000 hours, Detectives presented the case for filing consideration to Deputy District Attorney Brian Shern at Inglewood Court. D.D.A. Shern filed two counts of Assault on a Peace Officer with a Semi-Automatic Firearm, 245(d)(2) P.C., and one count of Felon in Possession of a Firearm, 12021(a)(1) P.C., under court case #YA060289.

On 05-12-2006, Suspect Curry was convicted in a jury trial of 245(D)(2) PC, ADW on A Peace Officer and 12021(A) (1) PC, Possession of a Firearm by a Felon. Suspect Curry was acquitted on the later amended charge of 664/187(A) PC, Attempted Murder.

Involved Employee Statements

The narrative which follows is intended only as a synopsis of the interview, and additional information and precise wording may be obtained by reviewing the recorded interview.

Homicide Investigator's Interview of Victim Deputy Joseph Garrido 11/30/2004, 0230 hrs.

Deputy Garrido and his partner, Deputy Brancato, were assigned to the Lennox Station Community Impact Team (C.I.T.) The CIT Team routinely targets problem areas and gang crimes.

On the night of the incident, Deputies Garrido and Brancato were patrolling, with Deputy Garrido driving the patrol car, and Deputy Brancato the passenger. They drove north on Prairie Avenue and turned west onto 111th Street. As he turned onto 111th Street, Deputy Garrido turned his attention to the apartment building at [redacted] West 111th Street, because he and his partners had made numerous previous arrests at that location for narcotics and weapons violations.

Deputy Garrido saw three Black males loitering in the driveway, at the southeast corner of the apartment building. As the deputies drove closer, the males ran north into the driveway.

Deputy Garrido stopped the patrol car in front of [redacted] West 111th Street, just west of the driveway, where the males had run north.

The patrol car's windows were rolled down and Deputy Garrido heard the sound of a chain link fence. It sounded like a person had run into the fence or climbed over it. Deputy Garrido believed the males climbed the fence and jumped onto the carport, north of the complex, or jumped the chain link fence to the east or west.

Deputy Garrido exited the patrol car and took a position on the west side of the building at [redacted] West 111th Street. As he got to the southwest corner of the building, Deputy Garrido illuminated the walkway area with his flashlight. He saw a male (Suspect Curry) turn the corner, with a handgun in his hand. The male quickly turned to his right and went back into the carport area.

Deputy Garrido yelled loudly to Deputy Brancato he had seen a gun, saying, "He's got a gun! He's got a gun!" Deputy Garrido remained in his position at the southwest corner of the building.

Deputy Garrido heard Deputy Brancato yelling something, but could not make out what was said. He glanced toward Deputy Brancato, who was standing near the sidewalk or grass area of the building just east of [redacted] West 111th Street. Deputy Garrido saw the suspect down on the grass area. Deputy Brancato yelled at the male to lay down and not move.

Deputy Garrido believed the suspect was complying and glanced back toward the walkway area which he was securing, to look for additional suspects. He then heard the sound of gunfire, but did not know if the suspect or deputy had fired.

Deputy Garrido looked toward the suspect and saw the suspect, who was on all fours, get up off his knees, holding a handgun in his right hand. The suspect turned toward Deputy Brancato, who was shooting at the suspect.

The suspect got up and began running east, toward a Chevrolet Suburban or Tahoe, which was parked in the driveway of the building, east of [redacted] West 111th Street. Deputy Garrido left his position and ran toward Deputy Brancato.

Deputy Garrido was approximately 10 -15 feet west of Deputy Brancato, and the suspect, who was near the front driver's side tire of the Chevrolet, turned toward the deputies. It appeared the suspect was getting into a crouched position, and Deputy Garrido believed he was preparing to shoot at the deputies. Deputy Garrido, fearing the suspect was going to shoot at him or Deputy Brancato, fired at the suspect.

The suspect then ran north, down the driveway, continually turning around and looking back, with the gun still in his hand. As the suspect reached the rear corner of the building, he turned around and aimed the gun at the deputies. Again fearing for the safety of himself and Deputy Brancato, Deputy Garrido fired at the suspect.

The suspect turned east behind the building and ran out of Deputy Garrido's view. Deputy Garrido said the deputies' rounds did not appear to have any effect on the suspect because he kept getting up and running.

Deputy Garrido began to set up an area containment via the radio. He then heard the suspect yelling that he had been shot. Deputy Garrido and Brancato moved to the northwest corner of the building and looked behind the building. Deputy Garrido saw the suspect lying on the ground, bleeding. The suspect was lying on his stomach and Deputy Garrido could not see the suspect's hands. Deputy Garrido also saw another male ([redacted]) lying on his stomach, next to the suspect.

Deputy Garrido requested a sergeant to respond with a shield, so they could safely approach the suspect. Once Sergeants Richard Westin, #[redacted] and Eli Vera, #[redacted] arrived with a shield, the deputies approached the suspect and handcuffed him.

Deputy Garrido was unsure if the suspect fired any rounds.

Deputy Garrido was unsure if the other male that was detained was one of the three males he initially saw standing at the apartment building. Deputy Garrido did not see where the other two males ran.

Deputy Garrido said he had previous contacts with Suspect Curry. He previously [redacted] Suspect Curry on Prairie Avenue for [redacted] He also had prior contacts with Suspect Curry at [redacted] West 111th Street.

IAB Investigator's Interview of Victim Deputy Joseph Garrido, 07-26-2006, 1540 hrs.
During his interview by IAB investigators, Deputy Garrido reiterated his earlier statements made to Homicide investigators.

In response to specific questions, Deputy Garrido said he and Deputy Brancato had been partners for some time and that they routinely discussed tactics and "what if" scenarios. Deputy Garrido said the males (suspects), upon seeing their radio car, ran, even before they got out of their car. Deputy Garrido said they stopped anyway to see if they could determine what the suspect's had been doing.

Deputy Garrido said that he and Deputy Brancato never lost sight of each other and that they "sliced the pie" in order to make sure that the suspects didn't double back and ambush them. Deputy Garrido said when they first took up their respective positions, they didn't put out anything over the radio, because at that point they didn't have anything but three males running from them.

Deputy Garrido said that the entire incident was over very quickly and that as soon as he fired his weapon, he put out "998" over his radio.

Refer to the verbatim transcripts of Deputy Garrido's interview for additional information. Deputy Garrido also provided investigators with his positions at the time of the shooting, by marking his and the Suspect Curry's positions on a diagram of the crime scene. The marked copy of the crime scene diagram is submitted at the conclusion of the Investigative Summary.

Homicide Investigator's Interview of Victim Deputy Agostino Brancato 11/30/2004, 0254 hrs.
Deputy Brancato was assigned to the Lennox Community Impact Team (C.I.T.), Unit 30N3. The CIT Team routinely targets problem areas and gang crimes.

On the night of the shooting, Deputy Brancato and his partner, Deputy Garrido, were driving west on 111th Street from Prairie Avenue. Deputy Brancato saw three male blacks hanging out on the driveway of [redacted] West 111th Street. The males looked in the deputies' direction and ran north, up the driveway.

Deputy Garrido stopped the patrol car in front of [redacted] West 111th Street. Deputy Garrido took a position near the walkway on the east side of the building. Deputy Brancato took a position at the bumper of the patrol car, to contain the driveway area.

Deputy Brancato heard a chain link fence rattle, as if someone were climbing over the fence. From prior knowledge, Deputy Brancato knew there were chain link fences which ran adjacent to the driveway and one to the rear of the carport.

Deputy Brancato heard Deputy Garrido yell to him, "He's 417! He's 417!" (meaning the suspect had a gun).

Deputy Brancato then saw the suspect (Suspect Curry) run down the driveway, toward Deputy Brancato. Deputy Brancato shined his flashlight on the suspect and saw the suspect was carrying a gun in his hand. Deputy Brancato pointed his handgun at the suspect and told him to stop. The suspect looked at Deputy Brancato and turned east, away from Deputy Brancato, and fell on the grass area of the apartment complex just east of [redacted] West 111th Street. The suspect landed on all fours and Deputy Brancato could still see the gun in his hand. The suspect and Deputy Brancato were between 10- 2O feet away from each other. Deputy Brancato yelled at the suspect to stop, lay down and drop the gun.

The suspect stood up and turned toward Deputy Brancato, with the gun. Deputy Brancato, fearing for his safety, fired at the suspect.

The suspect ran east to a driveway and next to a Suburban parked there. The suspect turned and pointed the gun at Deputy Brancato and Deputy Garrido. Deputy Brancato again fired at the suspect. Deputy Brancato believed Deputy Garrido also fired at the suspect at this time.

The suspect ran north, up the driveway, and again turned toward the deputies. Deputy Garrido fired at the suspect. Deputy Brancato was in the process of reloading his weapon at this time. The suspect then ducked behind the carport and out of Deputy Brancato's view.

Deputy Garrido got on the radio and began to set up a containment. Deputy Brancato then heard the suspect yelling he had been shot. Deputy Brancato and Garrido looked around the building and saw the suspect lying on the ground. Deputy Brancato also saw another male on the ground near the suspect. Sergeants arrived with a shield and the deputies used the shield to approach the suspect. Deputy Garrido handcuffed the suspect. Deputy Brancato saw the handgun laying in the area where the suspect was lying.

A containment was set up to search for additional suspects.

Deputy Brancato said the second male located was one of the three males he originally saw at the apartment building.

Deputy Brancato described the third male black as approximately 20 - 25 years old, 510, 150-160 pounds.

Deputy Brancato said he has had prior contacts with Suspect Curry.

IAB Investigator's Interview of Victim Deputy Agostino Brancato , 07-26-2006, 1445 hrs.
During his interview by IAB investigators, Deputy Brancato repeated earlier statements that he made to Homicide investigators. Deputy Brancato said that he and Deputy Garrido have worked as partners for some time and routinely discuss tactics.

Deputy Brancato said that he is familiar with the location of the incident and that he has made numerous narcotic and weapons arrests there. Deputy Brancato said that they (he and Deputy Garrido) were still in their car, when they heard the sound of the chain link fence rattling.

Deputy Brancato said he doesn't recall how man rounds he fired at Suspect Curry but does recall that each time he fired, the suspect was pointing a gun at him. Deputy Brancato said he was aware of the suspect's backdrop when he fired. Deputy Brancato said that when he ran out of ammunition, he yelled to Deputy Garrrido, who engaged the suspect. Deputy Brancato said that they had previously received training at the range at Wayside.

Deputy Brancato said he believed the distance between him and the suspect was between 20 and 30 feet, however it was difficult to judge as Curry was running.

Deputy Brancato said that from the time the suspect tripped and started to get up, to the time the last shot was fired was a matter of seconds and that it happened very quickly.

Refer to the verbatim transcripts of Deputy Brancato's interview for additional information. Deputy Brancato's also provided investigators with his positions at the time of the shooting, by marking his and the Suspect Curry's positions on a diagram of the crime scene. The marked copy of the crime scene diagram is submitted at the conclusion of the Investigative Summary.

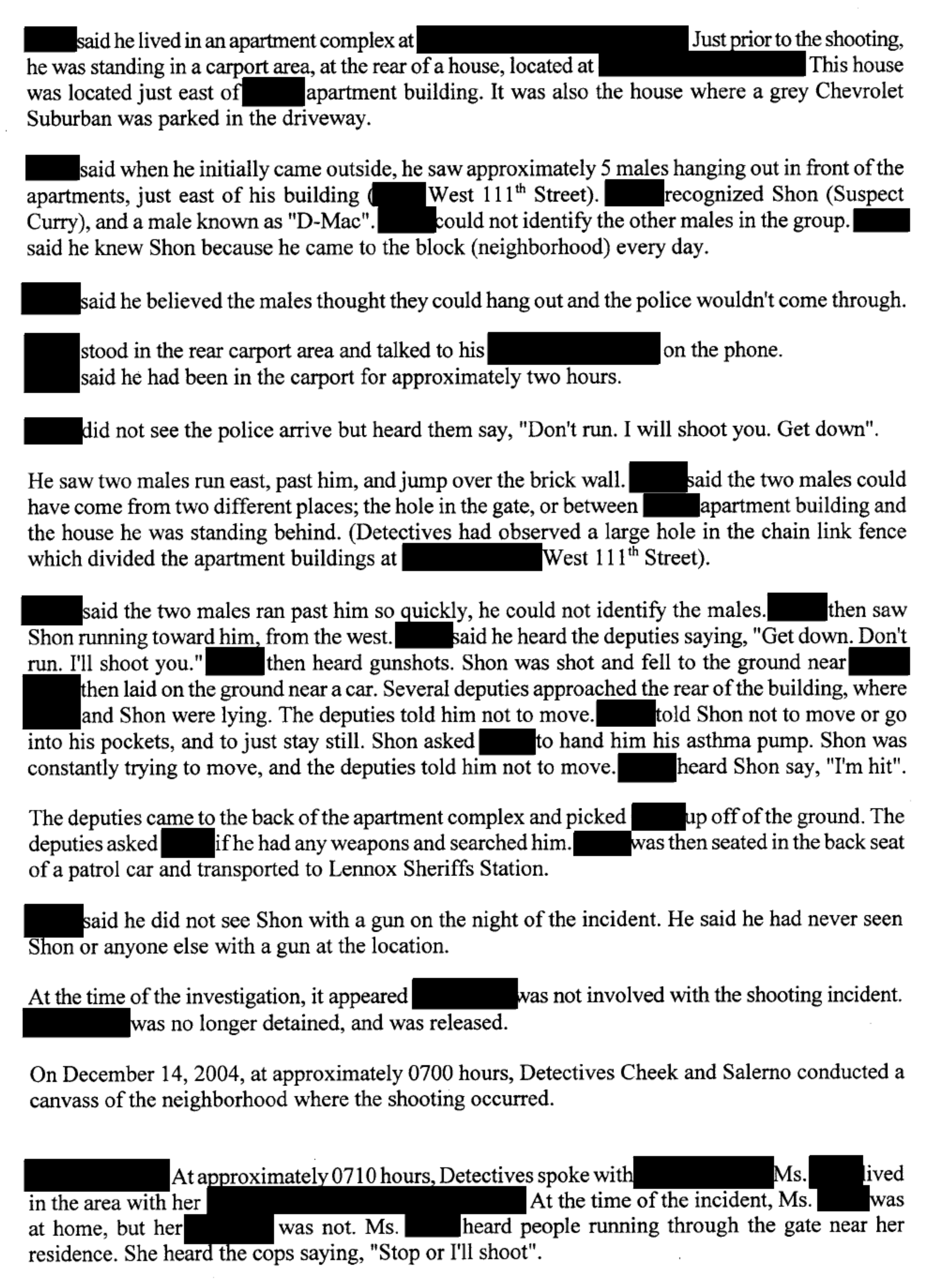
Suspect Statements

Suspect Curry was not interviewed by Homicide investigators due to his medical condition at the time of the incident.

WITNESSES

[redacted] On November 30,2004, at approximately 0356 hours, Detectives Cheek and Salerno interviewed [redacted] at Lennox Sheriff's Station. [redacted] had been detained near Suspect Curry, immediately after the shooting. Detectives interviewed [redacted] to determine his involvement, if any, with the suspect or the shooting incident.

[redacted] was advised of his constitutional rights, and he said he understood his rights. [redacted] immediately began telling Detectives about having been present in the area when the Deputy Involved Shooting occurred.



[redacted] said he lived in an apartment complex at [redacted] Just prior to the shooting, he was standing in a carport area, at the rear of a house, located at [redacted] This house was located just east of [redacted] apartment building. It was also the house where a grey Chevrolet Suburban was parked in the driveway.

[redacted] said when he initially came outside, he saw approximately 5 males hanging out in front of the apartments, just east of his building ([redacted] West 111th Street). [redacted] recognized Shon (Suspect Curry), and a male known as "D-Mac". [redacted] could not identify the other males in the group. [redacted] said he knew Shon because he came to the block (neighborhood) every day.

[redacted] said he believed the males thought they could hang out and the police wouldn't come through.

[redacted] stood in the rear carport area and talked to his [redacted] on the phone. [redacted] said he had been in the carport for approximately two hours.

[redacted] did not see the police arrive but heard them say, "Don't run. I will shoot you. Get down".

He saw two males run east, past him, and jump over the brick wall. [redacted] said the two males could have come from two different places; the hole in the gate, or between [redacted] apartment building and the house he was standing behind. (Detectives had observed a large hole in the chain link fence which divided the apartment buildings at [redacted] West 111th Street).

[redacted] said the two males ran past him so quickly, he could not identify the males. [redacted] then saw Shon running toward him, from the west. [redacted] said he heard the deputies saying, "Get down. Don't run. I'll shoot you." [redacted] then heard gunshots. Shon was shot and fell to the ground near [redacted] then laid on the ground near a car. Several deputies approached the rear of the building, where [redacted] and Shon were lying. The deputies told him not to move. [redacted] told Shon not to move or go into his pockets, and to just stay still. Shon asked [redacted] to hand him his asthma pump. Shon was constantly trying to move, and the deputies told him not to move. [redacted] heard Shon say, "I'm hit".

The deputies came to the back of the apartment complex and picked [redacted] up off of the ground. The deputies asked [redacted] if he had any weapons and searched him. [redacted] was then seated in the back seat of a patrol car and transported to Lennox Sheriffs Station.

[redacted] said he did not see Shon with a gun on the night of the incident. He said he had never seen Shon or anyone else with a gun at the location.

At the time of the investigation, it appeared [redacted] was not involved with the shooting incident. [redacted] was no longer detained, and was released.

On December 14, 2004, at approximately 0700 hours, Detectives Cheek and Salerno conducted a canvass of the neighborhood where the shooting occurred.

[redacted] At approximately 0710 hours, Detectives spoke with [redacted] Ms. [redacted] lived in the area with her [redacted] At the time of the incident, Ms. [redacted] was at home, but her [redacted] was not. Ms. [redacted] heard people running through the gate near her residence. She heard the cops saying, "Stop or I'll shoot".

Ms. [redacted] heard gunshots and dropped to the floor. A short time later, Ms. [redacted] looked out the window and saw the suspect lying on the ground. Ms. [redacted] said she recognized the suspect because he used to live in the neighborhood, and frequently hangs out in the area.

[redacted] At approximately 0715 hours, Detectives spoke with [redacted] Ms. [redacted] lived in the area with her [redacted] Ms. [redacted] At the time of the incident, Ms. [redacted] said she heard 3 - 4 gunshots. She looked out of a window and saw two deputies in the rear of the building, with their guns drawn. The deputies' guns were pointed toward the rear of the building. She had heard the deputies yelling, "Stop! Stop! Stop running!"

Ms. [redacted] said she saw one of the deputies speak into his radio and he said, "He pointed a damn gun at me!"

She later saw Suspect Curry and recognized him. She said he recently got out of prison and was at the location everyday, selling drugs and harassing people.

Ms. [redacted] said the males in the area frequently used the hole in the fence to run from the police.

Miscellaneous

No additional information.